

PLAN CORRECTIONS REPORT (PB23-0635)

PLAN ADDRESS: W 976 W 41 St
Miami Beach, FL 33140-3852

PARCEL: 0232220190040

APPLICATION DATE: 10/04/2023

SQUARE FEET: 106,134

DESCRIPTION: New office building over 50,000SF including offices, retail, restaurant, and parking

EXPIRATION DATE:

VALUATION: \$22,000,000.00

CONTACTS	Name	Company	Address
Applicant	IRA GILLER	GILLER & GILLER, INC. AAC0	975 Arthur Godfrey 600 Miami Beach, FL 33140-2944

1/22/24 RESPONSES ARE NOTED IN RED

Plan Review

Version: 1

Date Received: 12/12/2023

Date Completed:

1. Building Review (Structural) - Not Reviewed

Mohsen Jarahpour Ph: email: mohsenjarahpour@miamibeachfl.gov

2. Public Works - LUB Review - Pass

Aaron Osborne Ph: email: aaronosborne@miamibeachfl.gov

Comments:

PB23-0635, Approved, (12-22-23)

1. Since this is a commercial property, an analysis of the water and sewer system may be required prior to connecting to the City's Utility Infrastructure to confirm if the system can accommodate the additional flows proposed by the increased demand from the site. Submit the following information to: AaronOsborne@miamibeachfl.gov.

This information will be a part of the permit plans. None of the details of the building are designed and sized as yet.

A. Demand flows in a signed and sealed letter (by a Florida PE) for each property (if multiple sites).

i. Commercial Water Demands

ii. Residential Water Demands

iii. Fire Flow Demand

iv. Irrigation Demand

B. Flow greater than 10,000 GPD will require a hydraulic model to be performed on the water and sewer system.

Recommendation(s)

Recommendations:

1. All stormwater runoff must be retained within your private property and any proposed on-site stormwater system must hold a 10-year, 24-hour rainfall event with an intensity of 8.75 inches of rainfall. A deep well will be provided.

A. Trench drain may be required on the driveway and adjacent to the property line. Trench drain will be provided at the bottom of driveway and the HC ramp

B. Pre-development and post-development analysis of the drainage system will be required during construction. Will add to drainage permit plans

2. Show sight-visibility triangles on the exit driveway. As a reminder, no obstructions from 2 feet to 6 feet above grade within the 15 feet sight-visibility triangles are allowed per CMB standard detail 10-23. (Sheet A-2) Visibility triangle sketch is added to the traffic report.

A. If the sight-visibility cannot be achieved, a Hold Harmless Agreement and Convex mirrors will be required prior to approval of the building permit. Convex mirrors must be approved by the Planning and Zoning Department. There is no egress to the public streets from the site. Egress is provided at the public alley in the rear of the site. Sight visibility cannot be fully achieved in the alley. A Hold Harmless Agreement and Convex mirrors will be provided prior to the Building Permit approval.

3. Transportation - LUB Review - Fail

Grant Harrison Webster Ph: email: HarrisonWebster@miamibeachfl.gov

Comments:

The City of Miami Beach Transportation & Mobility Department is working with the applicant to resolve pending comments on the current Traffic Review for this project.

9. Please provide a separate pavement marking and signage plan for the proposed redevelopment. This should include all traffic control signage at the proposed ingress and egress driveway locations per MUTCD criteria. Kimley Horn and Associates, Inc.'s 10/12/23 Response: Comment noted. A pavement marking and signage plan will be provided. TCG 10/12/23 Response: Addressed. TCG 12/06/23 Response: This item is still pending. Please provide a separate pavement marking and signage plan for the proposed redevelopment. **Access and egress at the alley parking garage exit. sketch submitted to Transportation 12/22/23.**

12. Please update the Cardinal Distribution Table for TAZ 629. Per the percentages from the Miami-Dade TPO 20245 LRTP Directional Distribution Report dated 09/2019, the percentage of trips for 2045 have been included in the column for 2015 and the percentage of trips for 2015 have been included in the column for 2045. This error has caused the 2026 interpolated percentages to be incorrect. Please update these percentages and the traffic analysis as necessary (see below edited table). **Submitted to Transportation 12/22/23.**

13. Please update Table 2 and Figures 4, 5 and 6 based on the revisions per comment #12. **Submitted to Transportation 12/22/23.**

14. Please provide a copy of the Synchro 12 Queue report for each intersection for each scenario in Appendix J. Please provide a table that includes the 95th percentile vehicle queues for the key turn lanes at the signalized intersections. The table should include the existing turn lane storage and the 95th percentile vehicle queue for each scenario. Please provide narrative and report out any turn lanes where the 95th percentile vehicle queue extends past the available storage length. **Submitted to Transportation 12/22/23.**

15. The Maneuverability Analysis was provided for an AASHTO loading van (i.e. passenger vehicle turning templates) in the loading areas. Please confirm that the loadings anticipated will be limited to only passenger vehicles and larger vehicles such as larger semi-trucks will not be utilized for deliveries. **Submitted to Transportation 12/22/23.**

The Project Access paragraph narrative indicates that the alley will be converted from a two-way alley to a one-way single lane. Please add to this narrative and include a detailed description of the proposed circulation change in detail, explain its purpose and address the ownership of the alleyway and its right-of-way. Please provide a typical section for the existing and future alley/roadway. An expanded narrative in the Project Access section that describes the pavement area repurposing will also be beneficial. **One way single lane proposal was retracted and submitted to Transportation 12/22/23.**

16. The Parking Evaluation narrative section references 117 parking spaces being provided and 110 parking spaces being required per Miami Beach's Code of Ordinances. The Parking Analysis included in the Zoning Table on the Site Plan document (reference below) included as part of Appendix references 117 parking spaces being provided and 119 parking spaces being required (after bike and motorcycle credits). Please confirm which number is correct and update each document to be consistent. **The Zoning Parking Calculations show 119 spaces required and 117 spaces provided. However, when the Shared Use Calculation is applied, the required spaces are reduced to 100 at the daytime weekday peak.**

4. Planning Department Review - Fail

Alejandro Garavito Ph: email: AlejandroGaravito@miamibeachfl.gov

Comments: 14. Checklist -Item 11 – Architectural Plans and Exhibits must be 11 x 17. NOTE: When you make the size adjustment, please make sure that the drawings are legible. There were two sets of drawings uploaded one at 11x17 and one at 42x30 that is 187 MB. Please do not submit drawings in a different format. Make sure each electronic file does not exceed 25 MB; files can be split in two or more if necessary. **Plans 11x17 are submitted only.**

10. LOI: Criteria Section 2.5.2.2 b. 4: Explain why the parking plan exceeds the needs of the project, as stated above, excess in parking provided may count towards FAR unless they are located in an area that is open to the sky. **The needs of the project are satisfied when the Shared Use Calculation is used. Excess parking is an amenity in Miami Beach where parking is scarce. The excess 17 spaces are open to the sky and therefore, do not contribute to the FAR area.**

22. Checklist item 11i: Existing structures and project site, provide up to 6 images per page, provide a key directional plan. **Added plans.**

31. These comments have been provided as a first review of outstanding issues and are subject to additions and/or deletions pending further review before the meeting date and during building permit review. These comments do not constitute final zoning comments or final zoning approval of the project.

3. Provide a narrative response when addressing the following comments with page(s) location if applicable.

1. Please read all the comments and instructions at the end of this comments on how to resubmit for Final submittal.

15. Plans - The text, labels, dimensions on the plan set are still illegible, please enlarge. Print a set on 11x17 and revise. **Done**

5. Insufficient . LOI: Respond to Conditional Use Criteria- Section 2.5.2.2 a. 1-9, b. 1-11, and Section 7.1.2.4 a.1 A-L . provide questions and answers to all review criteria. Provide a space line in between questions and answers. **Added to LOI**

26. Maximum height 75' Proposed 83'-6"? (An additional 5 feet of height is allowed if the nonresidential first habitable level is at least

14 feet in height, as measured from DFE, to the top of the second floor slab. (sections shows 13') The BFE and DFE need to be properly identified. **Proposed finish floor and the 1st habitable height has been adjusted accordingly. See sections. A Warrant for the excess height is requested.**

23. Checklist item 11i: provide title block that states context, provide corner to corner images and across the streets and surroundings, provide a key directional plan. **"Context" added to title block. The site is irregular and does not provide "corner to corner" conditions. The city block is circular. An aerial sheet photograph showing the properties across the street and the context has been added.**

13. Insufficient - Checklist -Item 10 & 11b – Survey - the survey shall state the lot area, this shall be consistent with the zoning data. Without this the application cannot move forward. **Revised survey with area added.**

28. Critical issue: The project shall comply with the 7.1.2.2.f, 2 Resilience and Adaptation Standards for Buildings – New Construction – Long Frontage standards. The sidewalk shall be raised to future crown of the road and comply with all the standards, A.I (1) to (7), A.II (1) & (2), A.III (1) & (7), A.IV, B and C I to IV. **The sidewalk replacement is part of the current 41st St. Improvement project being managing by City of Miami Beach Capital Improvement Projects office.**
All of this shall be reflected on plans, (site plan, ground floor plan, landscape plans, etc), provide a detail section showing the ROW, sidewalk and ground floor. Coordinate this with Public Works and Parking Department if required. If there are waivers requested, they shall be noted on the LOI and checked by DRB staff. **Waiver is requested due to the public project**
(The sidewalk in front of this property is wide enough to implement this standards). **The sidewalk replacement is part of the current 41st St. Streetscape Improvement project by City of Miami Beach Capital Improvement Projects office.**

30. Per Section 2.2.3.4 Unified Development Site: Where development is proposed on a site that consists of a unified development site, the application shall be accompanied by either a unity of title or covenant in lieu of unity of title, as applicable. A "unified development site" is a site where a development is proposed and consists of multiple lots". Provide this and see the code section for more information. **Unity of Title will be provided prior to the building permit application .**

7. LOI : Criteria Section 2.5.2.2 a. 5: Include how many parking spaces are required and how many are provided on site. (note that the excess of parking requirements may count towards FAR). The site is located in Parking Tier 3. Parking can be provided up to the level of Parking Tier 1 without penalty against FAR. **.Explanation added to LOI. The excess spaces are open above and do not count toward FAR.**

12. Comment not addressed - Checklist -Item 7 BTR (Missing) **BTR added**

24. Insufficient - Provide a separate page for each restaurant, enlarge floor plan, provide a conceptual restaurant lay out, (BOH, Kitchen, Bathrooms, and dining areas). Provide interior and exterior seats and occupancy load, number/label each seat individually, provide a chart with the occupancy load, number of interior and exterior seats, with subtotals, total and provide retail bays SF area, and verify parking calculations. Without this the application cannot move forward. This chart shall also be provided next to the zoning data at the beginning of the set. This will be consistent with similar applications presented to the board. Alternatively, you can show these spaces as a retail bay and then each of them will apply for a separate CUP if the scale exceeds that of a Neighborhood Impact Establishment. **Two Restaurants are shown with kitchen area designated, occupant loads shown, and seating shown. The combined total occupant load is less than 200 and below the neighborhood impact threshold.**

17. Partial - Checklist -Item 11d Context Location Plan on sheet G-2 – make this plan larger it should be at least 8.5"x11", provide street names clearly labeled.

4. Comment not addressed complete - Application –(missing the file number) - Include File Number PB23-0635. The Scope of Request should state Conditional Use Permit for commercial development over 50,000 sq.ft. as a Neighborhood Impact "Structure" NOT "Establishment." **Corrected**

19. Plan sheet A-1.1 – Provide the existing on street - parking spaces and clearly label them. **5 Spaces are shown. Label added.**

6. LOI: Respond to Criteria section 7.1.2.4 a.1 A-L. **Done**

27. Zoning Data and Sections – Please coordinate the Base flood elevation with the Zoning data showing 9.0. **Done.**

2. Please note that the Miami Beach Resiliency code is now available at: Code Hub: <https://codehub.gridics.com/us/fl/miami-beach>

20. Insufficient - Checklist -Items 11h & 42 a-h Site Plan (Missing several dimensions). Provide adjacent right of ways, alley width, provide proposed sidewalk, landscape and parking spaces configuration per 7.1.2.2.f.2 Resilience and Adaptation Standards for Buildings Long Frontage Standards (see comment below related to this).

The sidewalk replacement is part of the current 41st St. Improvement project being managing by City of Miami Beach Capital Improvement Projects office. Survey shows the size of the existing rights-of-way and alley.

18. Plan sheet G-2 – Move Zoning data, parking analysis and calculation chart to a new page so that it can be enlarged and made legible when printed for Planning Board members. **New sheet added.**

11. LOI – The addresses provided don't match the addresses on the property appraisers and survey, revise. **Corrected**

21. Insufficient - Checklist -Item 11i-k Color Photographs – The images shall be placed prior to the demolition plan. **Done**

8. LOI : Criteria Section 2.5.2.2 b. 1: Identify that you are providing an operational plan. **Added**

32. Please provide the above information for the next available Final Submittal date (December 31, 2023) via email the files to Miriam Herrera at miriamherrera@miamibeachfl.gov please don't upload the files to CSS. Provide a narrative and label electronic files as: 'MM-DD-YYYY Document Name'.

16.Plans – Shall follow the same order and sequence per checklist provided. **Done**

9. LOI : Criteria Section 2.5.2.2 b. 2: This is a large project with a mixed uses including restaurants that is expected to have a loading/deliveries. Describe how many loading spaces are provided, location, access, and expected delivery hours of operations. This should coordinate with your operational plan. **Added**

25. Insufficient - Checklist -Item 38-39 Operational Plan: provide expected hours of operations, number of employees, for the different uses, provide information for each restaurant, (area, number of seats, occupancy load) provide proposed loading, deliveries, and trash pickup hours. This information shall coordinate with plans and other documents submitted. **Operational Plan revised to add information.**

29. Board Application: This project has three different lots from different owners per property appraiser, the application shall reflect all the owners, % of ownership names and addressed. Provide additional pages if necessary. **Done**

5. Planning Admin Review - Fail

Comments:

miriamherrera@miamibeachfl.gov

Miriam Herrera Ph: email: miriamherrera@miamibeachfl.gov

Missing Letter of Intent

Page (1) Missing File Number

COMMENTS ISSUED BY 12/13/23

The following fees are outstanding and will be invoiced prior to the Notice to Proceed deadline 01/10/24

1. Mail Label Fee (\$5.16 p/ mailing label)
2. Advertisement - \$1,593
3. Board Order Recording (1) - \$ 108
4. Courier (7) - \$ 77
5. Posting (1) - \$108
6. Variance(s) - \$788 p/variance
7. Sq. Ft Fee - \$.33 cents p/ Sq. Ft

Total Outstanding Balance = \$ ALL FEES MUST BE PAID BY 01/12/24

In addition to the fees, the following shall be provided to the Department no later than the Final submittal deadline 12/31/23, before 12 p.m. (Tardiness may affect being placed on the agenda):

NOTE: Please keep in mind that the submittal MUST be consistent with the plans / document which allowed the application to receive a Notice to Proceed. As customary, nothing can change between the Formal Submittal and the scheduled date of hearing.

The following must be submitted for Final Submittal to the attention of Miriam Herrera – Planning Department. Please leave your package with Central Services on the first floor of City Hall.

- One (1) original application (Proper signed and notarized affidavits and Disclosures must be provided).
- One (1) original Letter of Intent.
- One (1) original set of architectural plans signed, sealed, and dated. (11x17)
- One (1) original signed, sealed and dated Survey. (11x17)
- Two (2) sets of Mailing labels must be provided including Letter certifying the labels, radius map, gummed labels, and Labels CD done with the proper Excel format specified by the Planning Department.
- Any additional information/documents provided (i.e., traffic studies, concurrency, reports, etc.).
- A CD/DVD containing a digital version of the documents and plans submitted. The CD must be in the proper format specified by the Planning Department (Each document must be less than 25MB). CDs will be checked at time of drop off - anything larger than 25MB will not be accepted.
- Each file document must be labeled by day of submittal and document name.
- 14 collated copies

NOTE: Please make sure you identify the final submittal by the file number and address at time of drop off. (Attn: Planning Department – Miriam Herrera)

Please email Excel file of label owner list.

Should you have any further questions, please contact:

MiriamHerrera@miamibeachfl.gov

Missing Pre-application Checklist

6. Planning Landscape Review - Fail

Enrique Nunez Ph: email: EnriqueNunez@miamibeachfl.gov

Comments: Refer to the Chapter 4 Landscape Ordinance and provide landscape plans with the CMB landscape legend form.

Refer to the Chapter 46 Tree Preservation Ordinance and provide a tree survey and tree disposition plan.

7. Building Review (Structural) - Not Reviewed

Mashaer Ismail Ph: email: MashaerIsmail@miamibeachfl.gov

Comments:

No Structural Plans
